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11/5IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jorn Borch SØE et al.
Serial No. : 10/040,394
For : IMPROVED METHOD FOR PREPARING FLOUR
DOUGHS AND PRODUCTS MADE FROM SUCH
DOUGHS USING A GLYCEROL OXIDASE
Filed : January 9, 2002
Examiner : Keith Hendricks
Art Unit : 1761

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I hereby certify that this paper is being facsimile transmitted
to the Patent and Trademark Office on the date shown below.

Angela M. Nigro

Type or print name of person signing certification

Angela M. Nigro
Signature

March 5, 2003

Date of Signature

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Further to the telephone conference of February 25, 2003 with Examiner Hendricks, for which the Examiner is thanked for the courtesies extended therein, regarding the status of the present application due to the belief that an additional document would be forthcoming from the Applicants, and further to the Information Disclosure Statement filed April 16, 2002, the Examiner's attention is respectfully drawn to the enclosed form PTO-1449 and the document listed thereon. As this Information Disclosure Statement is being filed before the mailing of the

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first Office Action on the merits, it is believed that no fee is required for entry of this paper. However, the Commissioner is hereby authorized to charge any such fee, or credit any overpayment to Deposit Account 50-0230.

REMARKS

The enclosed document was published in 1997 in The Proceedings of the First European Symposium on Enzymes and Grain Processing. At this time the exact date of publication is unknown, however the undersigned is investigating the actual publication date with the assistance of the publisher. Preliminary discussions with scientific advisors at INO indicate that the volume may have been published, at the earliest, in April of 1997. Kindly note that the authors of the enclosed document are Charlotte Poulsen and Jorn Borch See, both of whom are inventors of the present application.

The Examiner's attention is specifically drawn to pages 211-212 of the enclosed reference, which states "[a]n HPLC method was developed to analyse the polar lipids . . . [t]he method can separate and quantify both the glycolipids and the phospholipids." The document references figure 4 (page 211), which provides HPLC chromatograms. Interestingly, in describing the materials and methods of the reference (page 207), it is stated that "[t]he lipase used in all experiments, except figure 4, was Grindamyl™ Exel 16, a 1,3 specific triglyceride hydrolysing lipase." Therefore, the document does not teach, suggest or enable the enzyme of figure 4.

A portion of the enclosed document may have been presented during the Conference of ESEGP-1 (Noordwijkerhout, The Netherlands) between December 2-4, 1996 by Charlotte Poulsen, one of the inventors of the present application. It is verily believed that the sections of the document which are specifically called to the Examiner's attention (namely pages 211-212) were disclosed in the presentation, however, the legend for Figure 4 was not disclosed. Additionally, during the presentation, Dr. Poulsen only referred to HPLC in relation to the use of HPLC as an analytical tool to measure polar lipids.

Furthermore, during the presentation it was made clear that the text of paragraph 1 on page 212 refers only to the experiments referring to Grindamyl™ Exel Bakery Buzyme.

Thus, it is verily believed that this document does not teach, suggest or enable the present invention as claimed. Further, as the present application claims a lineage to a PCT application

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filed April 3, 1998 which designates the U.S., it is believed that the date of publication of this document renders it, at best available only under 35 U.S.C. §102(a); but, as the authors of the document are inventors on the present application, the document is not by "another" or "others" as to the present inventors, thereby rendering the document unavailable under section 102(a).

That is, it is verily believed that the cited document is not available as prior art against the instant application.

CONCLUSION

The filing of this Information Disclosure Statement is not an admission that the documents identified herein constitute prior art to the present application. Consideration of this Information Disclosure Statement is respectfully requested. Applicants respectfully request that a copy of Form PTO-1449 be initiated by the Examiner and returned to the undersigned.

Respectfully submitted,
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